IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

SECOND APPEAL NO.21 OF 2007

Tukaram Raghu Waghmale .. Appellant/
Orig.Plaintiff.

Versus

Satara Nagar Parishad, Satara & Anr. .. Respondents/
Orig.Defendants.

Shri.R.N.Jawal for the appellant.
Shri.P.B.Shah for respondent No.1.

CORAM : D.B.BHOSALE, J.

DATE : 26TH FEBRUARY, 2007.

P.C.:

1. Heard the learned counsel for the parties.

2. Shri.R.N.Jawal, learned cousel for the appellant, submits that he has instructions not to press this appeal and seeks liberty to approach the landlord and Satara Nagar Parishad seeking permission to pull down the

disputed structure and errect new structure at the same place.

3. This appeal is disposed of, as not pressed, with liberty, as prayed for. For a period of four months from today, the respondent shall not take any action against the structure in dispute in pursuance of the notice dated 5th January, 1994 u/s.195 of the Maharashtra Municipalities Act, 1965.

(D.B.BHOSALE, J.)